

MEETING #20 – May 12

At a Regular Meeting (#1) of the Madison County Board of Supervisors on May 12, 2020 at 4:00 p.m.
at the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chair
Charlotte Hoffman, Vice-Chair
Kevin McGhee, Member
Amber Foster, Member
Carty Yowell, Member
Jack Hobbs, County Administrator
Sean Gregg, County Attorney

Call to Order, Pledge of Allegiance & Moment of Silence & Determination of Quorum Consideration of the Proposed Agenda/Adoption of the Consent Agenda

All members are present; a quorum is established.

Chairman Jackson referred to the Agendas presented for meeting session, and called for further amendments and/or adoption.

Regular Agenda:

Items to be added for discussion:

Old Business:

Add:

Item 5a: Consideration of Updated Floor Plan for the Madison County Administration Center Renovation Project

Item 5b: Madison County Volunteer Rescue Squad Annual Funding Contribution

Supervisor Hoffman moved that the Agenda be approved as presented, seconded by Supervisor Foster. ***Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).***

Consent Agenda:

Items for action:

1. A. Minutes of April 28, 2020 Meeting Minutes
- B. May 6, 2020 Meeting Minutes **(Foster Absent)**
- C. Budget Adjustments [Supplemental Appropriation #52 to Receive a \$25 donation to the Sheriff's Department])**

Supervisor Yowell moved that the meeting minutes of May 6, 2020 be pulled from the Consent Agenda, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Supervisor Yowell moved that the Board approve the Consent Agenda:

A. April 28, 2020 meeting minutes

C. Budget Adjustments (Supplemental Appropriation #52 [Sheriff's Department])

Seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Yowell. Abstain: Foster. Nay: (0).*

B. May 6, 2020 Meeting Minutes: Supervisor Yowell moved that the Board approve the minutes of May 6, 2020, seconded by Supervisor McGhee. *Aye: Jackson, Hoffman, McGhee, Yowell. Nay: (0). Abstain: Foster.*

Public Comment - None

Special Appearances - None

Reports

A. Constitutional Officers

Commissioner of Revenue: Brian Daniel, Commissioner of the Revenue was present for today's session.

Treasurer: Stephanie Murray, Treasurer, reported that the tax bills for the first half of the real estate tax bills will be mailed out tomorrow with an adjusted due date of June 26, 2020.

Commonwealth Attorney: Clarissa Berry, Commonwealth Attorney, reported that her office will start returning to normal hours of operation; it has been suggested that necessary precautions be undertaken; her office has been rather busy during this time.

Clerk of Circuit Court: Leeta Louk, Clerk of Circuit Court, was present and advised that (to the best of her knowledge, Judge Durer will not be issuing additional order for closure of her office to the public; however, the order currently being drafting will allow her office some leeway as to how many people can be allowed in the records room; feels that her office will be open to the public next week; operations have been steady and her office was still audited; renovations are a definite asset.

Sheriff: Erik Weaver, Sheriff, advised that his office is serving to the best of their ability; overtime is being utilized by staff working on the weekends.

Schools: Barry Penn Hollar, School Board, advised that the school approved a revised budget; funding shortfalls from the state still in place; no raises allocated for staff; additional cuts will call for the elimination of 5.5 staff positions; healthcare will remain in place with Local Choice; highlights given on teacher awards and recent retirees; drive-in graduation will commence on May 29, 2020 at 6:00 p.m.

- *Chairman Jackson: Advised that County funding to the school system was increased (from \$238,000 to \$325,00).*

Planning Commission: Francoise Seillier-Moiseiwitsch was present to advise that a recent commission meeting focused on the flood plain ordinance and associated maps.

The Finance Director provided a brief explanation of allocated for the school during the year which they budgeted in their operating fund, but the County showed this allocation in the capital fund (i.e. \$238,000+ \$87,000= \$325,000).

Building/Zoning: Ligon Webb, County Planner, was present to report that administrative actions have been utilized by the planning commission; one-lot administrative approval technique has been a definite asset; plans are being made to schedule a joint meeting to discuss a few small items on June 3, 2020, to be advertised to begin at 5:30 p.m. that would allow the Board of Supervisors to participate in a 7:00 p.m. with the Commission Chair and County Planner; business is still ongoing within his office.

EMS: Noah Hillstrom, Director of Emergency Medical Services, was present to provide highlights from his departmental report (total calls, response time, etc.).

Emergency Management Services: John Sherer, Emergency Management Services Director, was present to provide highlights on the COVID 19 pandemic; currently there are 21 cases here with (2) hospitalizations and (1) deceased; feels the pandemic is well managed here and all is going as well as possible; working on getting supplies from VDEM for offices in need; Executive Order 61 has been released to the public and is expected to be signed by the Governor for implementation on Friday; all are encouraged to read the proposed order; noted that the pandemic is something that will be dealt with for quite a while; feels the County has done a very good job sustaining; Dr. Wade Kartchner of the Virginia Department of Health, has offered to attend a future meeting to answer any questions pertaining to the virus.

After discussion, the Board verbalized appreciation of Dr. Kartchner's offer.

- *Supervisor Yowell: Feels that Executive Order 61 will allow local governing boards to decide when the localities can resume functions.*
- *Chairman Jackson: Referred to a Phase I with an allowance for localities to implement reopening at a slower rate.*

Clerk's Office Renovations: Roger Berry, Director of Facilities, was present to provide an update on renovations at the Clerk's Office; quotes also received for the security system and burglar alarm for the War Memorial Building (prices ranged from \$10,700 [lowest] to \$28,200 [highest]); upgrade at the courthouse received the lower bid from Clark Security (\$20,000) and a highest bid of \$50,000; he recommended that Clark Security be attained to perform security work at the courthouse and War Memorial Building.

The County Administrator referred to the supplemental appropriation (#51 - \$31,540.43) in today's packet to approve the proposed projects being discussed.

Madison County
Outlay for Court Security Systems
5/12/2020

		<u>Amount</u>
War Memorial Bldg Access Control Upgrade	Clark Security	20,798.97
Courthouse - CCTV System & Alarm System	Security Innovations	<u>10,741.46</u>
		<u>31,540.43</u>

Supervisor McGhee moved that the Board approve supplemental appropriation #51, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Finance: Mary Jane Costello, Finance Director, referred to the RFP for the proposed financial software system and advised that the RFP was posted to the website and eVA procurement site; the IT consultant had also developed a list of potential vendors; several responses have been received, as well as questions from various vendors, which the consultant is suggested that a response be provided.

After discussion, it was suggested that a list of questions being proposed be publicized only for all any potentially vendors to review, and that a list also be provided to all that worked on the software system committee.

D. County Administrator: Jack Hobbs, County Administrator, followed up on:

1. Renovations at the courthouse
2. Roof repairs at the Sheriff's Office (to include replacement of drain and drainpipe)
3. Ambulance financing still being assessed

The Finance Director suggested the County explore whether the proposed CARES Act funding can be utilized to cover the costs of the ambulance purchase and/or used for items related to the school system; questioned if CARES funding could be used if additional funding has already been allocated within the County's budget.

Chairman Jackson questioned if the following could be considered as applicable COVID-19 items:

1. Renovations at the courthouse
2. Ambulance purchase
3. E911 equipment upgrades

- *Supervisor Yowell: Noted that documentation on the CARES funding advised of specific restrictions; suggested the County assess these conditions and remain in compliance.*

John Sherer, Emergency Management Services Director, was present and suggested the County assess how other localities may be looking to utilize their portion of funding; also noted that issues pertaining to the pandemic will be in place for an undetermined amount of time.

The County Administrator advised that the county has already received \$13,000 in CARES funding that is earmarked for EMS; also noted that all grant programs have different restrictions; the County will have to remain within the guidelines when utilizing these funds, and maximize this benefit.

Criglersville School Property: Efforts are still underway with the individual that has shown interest in the property.

Ligon Webb, County Planner, advised that he has conversed with someone else that has also shown interest in the school property.

COVID-19: The County Administrator referred to the Governor's Phase I plan to reopen Virginia that will begin on Friday, via executive order; suggestions are still in place for citizens, which may be re-evaluated within two (2) weeks; it's noted that the order doesn't contain anything much different that what the County is already implementing; noted that County offices will continue to be open with the existing conditions (i.e. locked doors); asked the Board to discuss its thoughts for the County with regard to:

1. Reopening the doors to the general public
2. Continuing with the electronic meeting format
3. Refraining from returning to normal operations as quickly as some would suggest

It was also noted that the electronic meeting format comes with a cost and prevents IT personnel from doing other essential tasks.

- *Chairman Jackson: Referred to the due date (June 26, 2020) for real estate taxes and the County will handle reopening the doors for citizens to pay their taxes; discussions have focused on how to block the admin building off solely for those who come to pay their taxes; business appears to be continuing as appropriately as possible; accolades were given to the Building & Zoning Office for their assistance/support to clientele; suggested that the County develop some policies/procedures for staff, the meeting process, etc.*

Economic Development: Tracey Gardner, Economic Development & Tourism Director, advised that statewide tourism welcome centers will be reopened effective June 1st with a Visitor's Center clause; noted that she will assess a way for brochures to be available to visitors into the County.

- *Supervisor Yowell: Suggested that the County rely on input from John Sherer, Emergency Management Services Director, based on input provided from the Virginia Department of Health.*

Mr. Sherer, advised that it's uncertain how quickly the virus may spread based on input from the Virginia Department of Health.

After continued discussions, it was clarified that the County can assess guidelines for overall internal operations (excluding the overall locality) based on input received.

Stephanie Murray, Treasurer, advised of the close quarters in her office and the fact that no more than two (2) people can enter at once (with regard to social distancing) and also that exiting will not allow for the appropriate social distancing guideline (i.e. six [6] feet); she noted that tape markings can be put into place to advise citizens to keep appropriate distancing from one another.

- *Chairman Jackson: Noted that there will situations that won't allow folks to practice social distancing (six feet [6'] apart)); citizens were encouraged to be socially responsible and do the right thing by wearing a mask; suggested the County assess how the guidelines evolve and initiate plans that will be most beneficial for Madison.*

The Finance Director questioned the proposed time frame for the electronic meeting format; she noted that the audio for the electronic meetings is very poor for those who listen; noted that there are remedies to improve the sound quality.

Mr. Sherer, was present and advised that the proposed date to discontinue electronic meetings is June 1, 2020.

- *Chairman Jackson: Advised of the proposed future renovations to the admin building; verbalized disfavor of utilizing county revenues to do extensive upgrades/improvements at the present time; referred to the tremendous budgetary cuts that have been initiated within the FY21 budget; feels the County should be savings funds and only move forward with absolute necessary purchases.*
- Roger Berry, Director of Facilities, suggested the architects be asked if there is anything that can be purchased now to improve the sound quality and if those items can also be utilized after renovations have been completed.
- Bruce Livingston, IT staff, noted that the sound quality is much better on the YOU TUBE format as opposed to the "GOTOMEETING" format; a better speaker can be purchased (at a cost of about \$1,200).

It was further reported that the CARES funding should be received by Virginia localities by June 1, 2020.

Old Business

2.Report: Courthouse/War Memorial Building Security System Upgrade (Berry & Livingston): *Discussed under Reports - Constitutional (Clerk of Circuit Court)*

3. Consideration: Emergency Meeting Ordinance (Gregg): The County Attorney advised that the Emergency Meeting Ordinance (ID #2020-10) will need to be extended for six (6) months based on State Code guideline.

The County Administrator advised that the proposed Ordinance triggers an October 27, 2020 public hearing for renewal based on State Code guidelines (i.e. Ordinance can't be initiated past six [6] months).

Supervisor Yowell moved that the Board adopt Ordinance ID #2020-10, seconded by Supervisor Foster.

Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).

4. Consideration: Random Drug Testing Policy (Hobbs): The County Administrator referred to the original draft document presented at an earlier meeting; additional edits have been initiated for further review by the County Attorney, Emergency Management Services Director and Emergency Medical Services Director. The proposed policy will create a program that would allow random testing of EMS, public safety and E911 call center employees per quarter. A cost estimate of \$200-\$600 annually with no further issues being noted.

Noah Hillstrom, Emergency Medical Services Director, was present to verbalize support of the proposed program.

John Sherer, Emergency Management Services Director, was present and advised that the aforementioned protocol is exercised in several other localities within the State of Virginia.

Supervisor McGhee moved that the Board amend Section 6.4 of the Personnel Policy to implement a random drug check policy for public safety employees as proposed, to be effective immediately, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

5. Consideration: FY21 Budget Resolution (#2020-15) (Costello): The Finance Director provided an updated draft Resolution #2020-15 to adopt the FY21 budget for Madison County that changed by \$604,755, due to the recent adoption of the school board's budget. Figures also reflect all suggestions discussed at the last meeting session. Further discussions will also focus on how the County will move forward with future supplemental appropriations.

- *Chairman Jackson: Advised that the County reconsider reinstating \$25,000 back to the volunteer rescue squad (for a total of \$100,000) and renegotiate the existing contract for the next year.*
- *Supervisor Yowell: Concurred with the aforementioned suggestion made by Chairman Jackson.*
- *Supervisor Hoffman: Advised that she has conversed with Steve Grayson, (Madison Volunteer Rescue Squad) that the Board would reconsider reinstating the \$25,000 and renegotiate the existing agreement.*

The Finance Director advised that the Board will need to adopt the school board's version of the budget.

Suggestions focused on:

- Amending the FY21 budget
- Leave the rescue squad allocation at \$75,000 and supplement the proposed reduction of \$25,000

The Finance Director referred to the two (2) aforementioned options as having the same result, and also noted that the adopted budget can't be amended; anything done outside of the adopted budget is considered to be a supplemental appropriation. In closing, she recommended that the County adopt the FY21 budget 'as is', and suggested that a supplement be initiated afterwards.

Supervisor McGhee. moved that the Board adopt Resolution #2020-15, seconded by Supervisor Foster. Accolades were given to all that helped with the FY21 budget process.

Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).

The Finance Director verbalized concerns as to how the Board would like to appropriate the FY21 budget (i.e. quarterly, biennial) and suggested the Board evaluate whether there is a need to appropriate the budget in portions.

The County Administrator advised that it's anticipated that additional funding cuts will be imposed by the state.

The Treasurer referred to changes initiated within the economy in 2008 that resulted in the County electing to do real estate tax collections every six months as opposed to once annually; County departments were asked at that time to reduce departmental spending. At this time, the County is in a better financial position at the current time, and feels the County must also consider what may transpire in the years to come.

The Finance Director advised that she can compute numbers for one half year appropriations and assess that the last half of the appropriation can be initiated at a time so as to allow for a cash analysis to be initiated along with further evaluation before revenues are depleted.

After discussion, it was suggested that calculations for the appropriation of the FY21 budget be provided to the Board for review at the meeting on June 9, 2020 for a biennial appropriation.

a. Consideration of Updated Floor Plans for the Madison County Administration Center Renovation Project (Hobbs): The County Administrator advised that the architects recently met with staff; the proposed updates appear to be most promising; comments have focused on the details for which a proposed door (i.e. to swing inside instead of swing outside).

Health Department: The County Administrator referred to the health department building and items being proposed by staff that will call for the elimination of a proposed cut through (Treasurer's Office) to be initiated by Building/Zoning staff; edits to a proposed copy room and additional equipment. It was also noted that there is no budget for furniture included with the project and there may be issues with existing furniture in the event that the proposed spaces are too small.

Commissioner of the Revenue: Brian Daniel, Commissioner of the Revenue, was present to advise of a concern to see a change in his office pertaining to the proposed counter space.

Norman Smith of Norman Smith Architecture, Inc., advised that all proposed changes have been reviewed and will be initiated; a follow up session will be scheduled to assess further concerns.

The County Administrator advised that the proposal for an air-locking door is questionable. However, if justified, this may be assessed. Additional concerns were verbalized concerns pertaining to the installation

of a sidewalk between the two buildings, and suggested that all of the proposed work remain for the inside of the building at this time.

New Business:

6. Discussion: Preparing for May 26 Work Session on Capital Project Financing (Hobbs): The County Administrator referred to the County's existing debt and encouraged all Board members to be available to discuss concerns and/or provide input. Additional discussions will focus on:

- Bids received from the banks
- VRA rates
- Representatives from Davenport Financial Services will be asked forward items in advance (for review)

Information was provided from a worksheet estimate for the three (3) main projects. Representatives from Davenport Financial will plan to attend; suggested that the Board meet at 5:00 p.m. to discuss the capital project financing.

After discussion, it was the consensus of the Board to schedule the above referenced work session at 5:00 p.m. on May 26, 2020.

The members were encouraged to provide any questions or concerns for review and/or discussion.

- *Supervisor Yowell: Questioned if it would be possible to have a financing vendor in place following the on May 26th.*

The County Administrator stated that various financing scenarios will be presented for review and assessment.

7. Consideration: Appointments to Social Services Board (Frye): Chairman Jackson advised that one applicant has already served two (2) terms and isn't eligible for reappointment. Two (2) citizens have applied (Jack Cintorino and Scott Alan Bennett).

The Deputy Clerk advised that Valerie Ward, DSS Director, has endorsed Scott Alan Bennett

Supervisor McGhee moved that Scott Alan Bennett be appointed to replace Mr. Joseph Goodall on the DSS Board for a July 1, 2020-June 30, 2024 term, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

Information/Correspondence

Monthly Reports: Included in today's meeting documents

The County Administrator advised that employees in the field are very busy during this time.

Public Comment - None

Chairman Jackson called for a five (5) minute recess.

Chairman Jackson reconvened the meeting session.

8. Public Hearing: Proposed Secondary Six-Year Plan for FY20/21 through 2025/26 in Madison County and on the Secondary System Construction Budget for FY 2020-21: Chairman Jackson referred to the County's list of roads on the proposed six-year road improvement plan as noted:

1. Novum Road (Rt. 606) [fully funded this year]
2. Forest Drive (Rt. 671) [fully funded in FY21]
3. Pea Ridge Drive (Rt. 666 [fully funded by FY22]
4. Desert Road (Rt. 606) [fully funded by FY23]
5. Desert Road (Rt. 606) [fully funded by FY 25]
6. Whippoorwill Road

Chairman Jackson read the following letters for the record:

1. William (Billy) C. Hill & Sallie Hill Outten [Forest Drive]:

Dear Sirs and Madams,

We have tried to take a fresh look at the prospect of what the State of Virginia's Rural Rustic Road Program (§ 33.2-332 of the Code of Virginia) would do for our neighbors. We recognize that there is a dust problem at different times of the year that would be solved by implementing this program.

VDOT has done a superior job of maintaining and specifically crowning Rural Route 671 (Forest Dr.) so much so that over a recent night we received 4.5 inches of rain and by 11:00AM the following morning the road was dry and in perfect condition.

Our family has agreed that we will go along with the Rural Rustic Road Program (§ 33.2-332 of the Code of Virginia) and its specifications exactly as stated and try to be helpful in its implementation as long as the entire length of the road is included in the improvement plan, no additional right of way is required, and that the speed limit, as per § 33.2-332 of the Code of Virginia, of 35 miles per hour is enforced.

Sincerely,

Chairman Jackson: Advised that he has conversed with William (Bill) Sanford (Forest Drive), who has also verbalized support of including Forest Drive in the Rural Rustic Road Program for paving.

2. Letter from Mrs. Arlene Aylor (237 Emmett Road, Etlan, VA 22719) [Emmett Road]:

Dear Members of the Board of Supervisors,

I live in Etlan. My driveway is off of Emmett Road. There is a ¼ mile of Emmett Road stretching from the low water bridge to Etlan Road that is unpaved. This portion of the road washes terribly. VDOT regularly has to send a grader and loads of gravel to repair this stretch. I ask that this segment of Emmett Road be placed on the six-year plan for paving.

I understand that the public hearing on the Secondary Six-Year Plan for Fiscal Years 2020/21 through 2025/26 is Tuesday, May 12th. Considering that I cannot attend in person, I respectfully request that this correspondence be read into the record.

Thank you.

Regards,

Chairman Jackson: Referred to other techniques utilized by VDOT in the past to remedy the roadway problems verbalized by Ms. Aylor.

Carrie Shephard, VDOT Residency Engineer, (entered electronically) and advised that tele-fee funds could be utilized, but VDOT must first review the roadway and develop an estimate of total costs before anything can be determined for submission.

- *Chairman Jackson: Further questioned if it would be appropriate to add the road to the existing six-year road improvement plan or is this something that should be left off and left to be addressed through the use of Telefee funds.*

To which Ms. Shephard indicated could be assessed through both options discussed; however, she further suggested that the road be added with the thought that an adjustment could be initiated at a later time. She further notes that Alan Saunders, VDOT Representative, advised that a citizen has verbalized concerns regarding Walker's Mill Road and a desire that the road be added to the Rural Rustic Road Project Plan for paving.

The floor of the public hearing was open to the public. With no additional comments being brought forth, the public hearing session was closed.

Supervisor McGhee moved that the Board approve Resolution #2020-16, seconded by Supervisor Foster.

Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).

9. Review of Current Road Issues (Carrie Shephard, VDOT Resident Engineer): The County Administrator advised of the following road issues noted in Madison County:

VDOT Projects and Maintenance Items

Current April 20, 2020

[Link to VDOT Road Map for Madison County](#)

Location/Issue	Status
SMART SCALE Projects	
1. US29 at Shelby Road (Shelby Road R-CUT)	Funded & under design; anticipate start date late 2022
2. SR231 at Fairgrounds Road (Pratts Intersection)	Preliminary application filed; updated study underway
Safety and Project Studies	
3. SR15 & Oak Park Road	Potential safety improvements are being studied by VDOT
4. SR231 & Cedar Hill Road	Safety re left turn toward Town of Madison discussed with Saunders on
5. SR230 Passing Zone	Study discussed at 2/11/20 BoS meeting
6. Raceground Road Speed Study	Preliminary research conducted but no study requested
7. Kinderhook Road Speed Study	A portion of the road changed to 45 mph; signs installed.
Maintenance Tasks	

8. Wayland's Mill Rd/SR618 Gravel & Grading Potential work being investigated

Pending VDOT Projects

9. Novum Road Rural Rustic Road Project	Resolution 2019-16 approved on December 10, 2019
10. Nethers Road Bridge Replacement	Ad date TBD
11. US29 at Fairgrounds Road New right turn	Study by VDOT underway per request at September 10, 2019 BOS
12. Walkers Mill Lane/SR663	Verified as a qualified Rural Rustic road program candidate
6-year secondary road plan	Public hearing on May 12, 2020; candidate roads include: Novum Road/SR606; Forest Drive/SR671; Pea Ridge Drive/SR666; Desert Road/SR606(Phase 1 ?); Desert Road/SR606(Phase 2 ?); Whippoorwill Road/SR603
Ongoing Issues	VDOT involvement in development reviews (subdivisions, site plans, special use permits & rezoning)

Ms. Shepherd advised of crash data history on:

Rt. 230 (Pratts): VDOT recommended that a roundabout be installed to improve safety; study showed that the area for the proposed roundabout wouldn't accommodate larger vehicles. Changes were made and an application was submitted; concept drawing was revised and resubmitted; the proposed revision would increase the overall cost but would also reduce the safety risks. In closing, she noted that Chuck Proctor, VDOT representative, recommended that the County move forward with the proposed sketch with increased cost and moderate safety risk. It's felt that if the submission is too conservative, there is a risk that the proposal will not be competitive. The County has until August 3, 2020 to submit a proposal.

Ligon Webb, County Planner, was present and advised that he was informed that all pre-apps were in place and that a resolution would be needed.

Discussions focused on:

- Whether the proposed project would receive a higher score (as a smart scale project) due to the lower cost and/or a better cost/ratio benefit
- The fact that a lot of truck traffic travels through the Pratts intersection

To which Ms. Shepherd advised that the proposal outline will not impose a greater increase for right-of-way costs, and will also allow traffic trailers to move through the roundabout while traveling on the outside of the roundabout circle. In closing, she further advised that Chuck Proctor, VDOT Representative, will be consulted to provide input on additional concerns discussed in regards to Round 3 and Round 4 of the Smart Scale Project proposal.

After discussion, it was the consensus to request that Ms. Shepherd attend the meeting scheduled for June 9, 2020.

Oak Park:

Chairman Jackson advised that the area in question is now being repaved.

The County Administrator advised of concerns regarding limited site distance on an awkward curve.

Supervisor McGhee: Referred to the portion of Rt. 15 (traveling to Culpeper) where there is a curve when turning to travel to Oak Park.

Cedar Hill Road: Left turning lane in the Town of Madison and poor vertical site distance at Cedar Hill Rd. and Rt. 231 (right turn).

Walker's Bottom (Rt. 230) passing zone:

Chairman Jackson referred to the fact that Alan Saunders indicated that he would research the area in question that involves a passing zone being in front of a farmer's driveway (heading towards the Town of Orange) [contact information for the owner will be provided].

Raceground Road: *Will be removed (no issues have been reported).*

Kinderhook Road: *Will be removed (will converse with law enforcement).*

Ms. Shepherd advised that she will research the above referenced concerns (i.e. Cedar Hill Road and Oak Park Road).

Wayland's Mill Road: Maintenance issue noted (gravel and grading needed)

Novum Road Project: Project was noted as being listed for Culpeper (and not Madison); project will be assessed.

Nethers Road: Issues regarding a bridge that's in place (near Old Rag Mountain).

Fairgrounds Road: Request to assess installing a right turning lane from Fairgrounds Road onto Rt. 29 N. (no free right turn in place) [can possibly be a maintenance project]).

Ms. Shepherd advised that the budget for maintenance funds has been significantly slashed for the next year; unsure if there will be enough funding to initiate the concern; feels this may be an applicable project for Telefee funds in the future; an estimate on the work will be required to assess if there is sufficient funding to initiate any improvements.

Walker's Mill Lane: Was verified as a possible rural rustic program opportunity; questioned if this road could qualify for inclusion in the rural rustic road program., based on VDOT assessment.

Supervisor McGhee: Noted that the traffic count is 40-70 trips per day.

Additional concerns focused on VDOT involvement in the development/review processes with the local six-year road improvement plan., site plans and subdivision review items.

Ligon Webb, County Planner, was present and advised that all requests are being send to Adam Moore, VDOT representative (Charlottesville Residency Office), for review/consideration.

In closing, Ms. Shepherd advised that she will assess concerns regarding Kinderhook Road and Racegrouds Road. converse with Chuck Proctor on Round 3 and Round 4 of the Pratts project and attain input on the other County roadways discussed during today's report.

Closed Session - None

Adjourn

With no further action being required, on motion of Supervisor Foster, seconded by Supervisor Hoffman, Chairman Jackson adjourned the meeting until 5:00 p.m. on May 26, 2020. *Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Copies: Board of Supervisors, County Attorney & Constitutional Officers
Adopted on: May 26, 2020

Adopted Items:

Regular Agenda:

Ordinance ID #2020-10 (May 12, 2020)

Resolution #2020-15 [To Appropriate the FY20 Madison County Capital Budget for April 2020]

Resolution #2020-16 [Approve the 2020/21 through 2025/26 Six-Year Road Improvement Plan for Madison County]

Ordinance #2020-10

***AN EMERGENCY UNCODIFIED ORDINANCE TO ESTABLISH METHODS TO ASSURE CONTINUITY IN
MADISON COUNTY GOVERNMENT
AND CONDUCT OF BOARD OF SUPERVISORS MEETINGS DURING THE NOVEL CORONAVIRUS DISEASE
2019 (COVID-19) EMERGENCY
#2020-10***

AN EMERGENCY UNCODIFIED ORDINANCE to establish methods to assure continuity in Madison County government and conduct of Board of Supervisors meetings during the COVID-19 Emergency, as authorized by Virginia Code §§ 15.2-1413 and -1427.

Be it ordained by the Board of Supervisors of Madison County:

1. *That the following uncodified ordinance is hereby adopted:*

A. Purpose of the Ordinance.

This ordinance establishes methods to assure continuity in Madison County government, including the Board of Supervisors' procedures for meetings, during the COVID-19 emergency. These provisions are intended to ensure the Board of Supervisors' ability to conduct necessary public business in a manner consistent with Virginia state law and federal, state, and local health directives and guidance, all while maintaining transparency and public participation to the greatest extent feasible.

This ordinance is being adopted in response to the COVID-19 outbreak. The World Health Organization declared

COVID-19 a global pandemic on March 11, 2020. On March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a National Emergency beginning March 1, 2020. On March 12, 2020, Governor Ralph Northam issued a Declaration of a State of Emergency due to Novel Coronavirus (COVID-19). The Governor declared the emergency "to continue to prepare and coordinate our response to the potential spread of COVID-19, a communicable disease of public health threat" and he found that "[t]he anticipated effects of COVID-19 constitute a disaster as described in § 44 146.16 of the Code of Virginia." The Governor's Declaration of a State of Emergency remains in effect until June 10, 2020, unless sooner amended or rescinded. Effective March 16, 2020, Governor Northam and the State Health Commissioner jointly issued an Order declaring a state public health emergency. On March 13, 2020, the Madison County Director of Emergency Management, with the consent of the Board of Supervisors, declared a local state of emergency due to the potential spread of COVID-19. The local Declaration of Emergency remains in effect until the Board of Supervisors takes appropriate action to end the declared emergency.

The Public Health Emergency Order issued jointly by the Governor and the State Health Commissioner effective March 16, 2020, consistent with all other expert opinions, observes that COVID-19 spreads from person to person, transmitted via respiratory droplets, and can be spread from an infected person who does not have symptoms to another person. No vaccine or known treatment options exist at this time.

B. Virginia Statutory Authority for the Ordinance.

Virginia Code § 15.2 1413 authorizes localities to adopt an ordinance to "provide a method to assure continuity in its government, in the event of an enemy attack or other disaster," "[n]otwithstanding any contrary provision of law, general or special." The Governor's Declaration of a State of Emergency found that "[t]he anticipated effects of COVID-19 constitute a disaster as described in § 44 146.16 of the Code of Virginia."

Virginia Code § 15.2 1427 authorizes counties to adopt emergency ordinances without prior notice; however, no such ordinance may be enforced for more than 60 days unless readopted in conformity with the provisions of the Virginia Code.

Virginia Code § 2.2 3708.2(A)(3) allows the Board of Supervisors to meet via electronic communications without a quorum physically assembled together "when the Governor has declared a state of emergency," "the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location," and "the purpose of the meeting is to address the emergency." Public notice must be given using the best available method, in light of the nature of the emergency, and it must be provided contemporaneously with the notice provided to the members of the public body. Finally, arrangements must be made for the public to access the meeting.

Virginia Code § 2.2 3708.2(A)(l) allows members of the Board of Supervisors to participate in a meeting via electronic communications if (1) it has a written policy allowing for such electronic participation; (2) a quorum of the Board of Supervisors is physically assembled at the primary meeting location; (3) the Board of Supervisors makes arrangements for the voice of the remote participant to be heard by all persons at the primary location; and (4) any member requesting remote participation is unable to attend the meeting due either to a temporary or permanent disability or other medical condition that prevents the member's physical attendance, or to a personal matter that is identified with specificity.

C. Definitions.

"Continuity in Madison County government" includes, without limitation, those actions, and the coordination of actions, that are necessary to assure the continuation of the County's essential functions and services.

"Electronic communication" means the use of technology having electrical, telephonic, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

"Emergency" means the outbreak of the respiratory illness referred to as the novel coronavirus or COVID-19, as described in the Governor's Declaration of a State of Emergency and the local Declaration of Emergency, and the spread and effects of COVID- 19, which constitute a disaster as defined in Virginia Code§ 44-146.16.

"Meeting" means a regular meeting of the Board of Supervisors as established on the schedule approved by the Board of Supervisors at its 2020 Annual Meeting on January 2, 2020, the meetings of any Board of Supervisors Committee, the Planning Commission, and any special or emergency meeting called as allowed by Virginia Code§§ 15.2 1417 and 1418.

"Usual procedures" means the requirements and procedures established by the Virginia Freedom of Information Act for public meetings, including remote participation by a Board member as long as a quorum of the Board is physically assembled at the meeting location, as allowed by Virginia Code§ 2.2 3708.2(A)(l) and the policy adopted by the Board on March 26, 2020.

D. Board of Supervisors' Meeting Procedures.

1. *For any meeting at which the Board of Supervisors transacts public business with any purpose other than addressing the emergency or assuring continuity in Madison County government, the Board of Supervisors will meet in accordance with all usual procedures established by the Virginia Freedom of Information Act.*
2. *If the purpose of a meeting of the Board of Supervisors is to address the emergency, the Board of Supervisors will meet in accordance with all usual procedures established by the Virginia Freedom of Information Act unless, in the judgment of the Chairman, the catastrophic nature of the declared emergency makes it impracticable or unsafe to physically assemble a quorum at one location, in which case the Board will meet solely through electronic communication means to discuss the emergency in accordance with the emergency procedures established by FOIA and specifically Virginia Code§ 2.2 3708.2(A)(3). In no event shall any action be taken by the Board in an electronic meeting unless a quorum is participating remotely. If the Board follows the procedures established by Virginia Code§ 2.2 3708.2(A)(3), the Board will state on the record the nature of the emergency, the fact that the meeting is being held electronically, and the type of electronic communication means being used, and the Board will make arrangement for public access to the meeting.*
3. (A) *In addition, if any meeting or any part of a meeting of the Board of Supervisors is being conducted for the purpose of assuring continuity in Madison County government, the Board of Supervisors will meet in accordance with all usual procedures established by the Virginia Freedom of Information Act to the extent possible.*
(B) *If, in the judgment of the Chairman, items proposed to be considered are necessary to assure continuity in Madison County government and the usual procedures cannot be implemented safely or practically, then, under the authority granted to the Board by Virginia Code§ 15.2 1413, the method by which the Board will conduct any meeting to consider the items will be as follows.*
(1) *The meeting may be held solely through electronic communication means without a quorum of members physically assembled at one location, but only after notice of the meeting is given in accordance with applicable laws. In no event shall any action be taken by the Board in an electronic meeting unless a quorum is participating either in-*

person or remotely.

- (2) The meeting may be held without permitting members of the public to be physically present in the same location as any of the Board members, but alternative arrangements for public access will be made. Such alternative public access may be through electronic communication, including but not limited to audio, telephonic, or video broadcast.
- (3) Before action may be taken on any item, the Board must first approve that the item or items are necessary to assure continuity in Madison County government and that the usual procedures cannot be implemented safely or practically. A motion may be made and voted upon before each item or as to the entire agenda, as may be determined by the Chairman.
- (4) For any such matter requiring a public hearing by law, public comment will be solicited and received via written or electronic communication prior to the vote on the matter. All such comments will be provided to the members of the Board and made a part of the record of the meeting.

E. Suspension of Certain Policies.

Any policies or procedures previously adopted by the Board are suspended to the extent they are inconsistent with this Ordinance.

2. *That this ordinance will become effective upon adoption.*
3. *That this ordinance is being adopted on an emergency basis as allowed by Virginia Code § 15.2 1427(F), and may be enforced for no more than 60 days from the date of adoption, unless the Board readopts this ordinance in conformity with all applicable provisions of state law and following the procedures established in this ordinance.*
4. *That the Clerk for the Board of Supervisors will schedule a public hearing on April 28, 2020, at which the Board will consider readopting this ordinance or a similar ordinance that assures continuity in Madison County Government during the COVID-19 pandemic. Such ordinance will be limited in its effect to a period not exceeding six months after the emergency and will provide for a method for the resumption of normal governmental authority by the end of the six-month period. The Clerk will publish descriptive notice of the Board's intention to propose the ordinance for passage once a week for two successive weeks as required by Virginia Code § 15.2 1427.*

CERTIFICATION OF ADOPTION OF ORDINANCE

The undersigned Chairman of the Board of Supervisors of the County Madison, Virginia hereby certifies that the Ordinance set forth above was adopted during an open meeting on the 12th day of May, 2020, by the Board of Supervisors.

RESOLUTION# 2020-15

RESOLUTION TO ADOPT THE FISCAL 2021 MADISON COUNTY BUDGET

WHEREAS, the Fiscal Year 2021 Budget has been duly prepared and fully considered by the Board of Supervisors; and

WHEREAS, numerous budget work sessions, open to the general public, have been conducted; and

WHEREAS, in accordance with the Code of Virginia, a Public Hearing on the Fiscal Year 2021 Budget was conducted on April 14, 2020; and

WHEREAS, the Board of Supervisors has evaluated existing commitments, public education and public safety needs, as well as numerous other services and programs desired by the citizens of Madison County;
 NOW, THEREFORE, BE IT RESOLVED on this 12th day of May, 2020, that the Madison County Board of Supervisors hereby approves and adopts the Fiscal Year 2021 Budget as summarized below:

Operating Budget

General Operations	\$ 25,683,467
School Operations	20,574,446
School Food Services	896,500
Social Services (VPA)	3,055,938
Children's Services Act (CSA)	,750,000
County Debt Service	1,750,787
Transient Occupancy Tax (TOT) Fund	<u>105,000</u>
Gross Budgeted Operational Expenditures:	\$ 54,816,138
Less Transfers:	
School-Operational	\$ 9,754,720
County Debt Service	1,750,787
Children's Services Act (CSA)	921,464
Social Services (VPA)	517,334
TOT Fund (to GF)	<u>55,000</u>
Total Transfers:	\$ 12,999,305
Net Budgeted Operational Expenditures	\$ 41,816,833

Capital Budget

General Operations	\$ 13,572,843
County Capital Projects Fund	5,866,479
School Capital Projects Fund	<u>7,862,640</u>
Gross Budgeted Capital Expenditures	\$ 27,301,962
Less Transfers:	
County Capital Projects Fund (from GF)	5,866,479
School Capital Projects Fund (from GF)	7,862,640
Total Transfers:	<u>13,729,119</u>
Net Budgeted Capital Expenditures	\$ 13,572,843

RESOLUTION #2020-16

At a Regular Meeting of the Madison County Board of Supervisors held at the Madison County Administrator Center Auditorium located at 414 N. Main Street, Madison, Virginia, on Tuesday, May 12, 2020:

WHEREAS, Section 33.2-331 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six Year Road Plan;

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2020-2021 through 2025-2026) as well as the Secondary System Construction Budget for Fiscal Year 2020-21, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Construction Budget for FY2020-21.

WHEREAS, Carrie, Shephard, Resident Engineer, Virginia Department of Transportation, appeared before the board and recommended approval of the Six Year Plan for Secondary Roads (2019-20 and 2024-2025) and the Secondary System Construction Budget for FY2019/20 for Madison County, Virginia.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Madison County and of the citizens residing in the Secondary System, and said Secondary Six Year Plan (2020/21 through 2025/26) Secondary System Construction Budget for Fiscal Year 2020/21 are hereby approved on this 12th day of May, 2020, on motion of Supervisor McGhee, seconded by Supervisor Foster.



Agenda

Regular Meeting

Madison County Board of Supervisors

Tuesday, May 12, 2020 at 4:00 p.m.

County Administration Building, Auditorium

414 N Main Street, Madison, Virginia 22727

Call to Order, Pledge of Allegiance, Moment of Silence & Determination of

Quorum Consideration of the Proposed Agenda/Adoption of the Consent Agenda

5. A. April 28, 2020 meeting minutes
- A. May 6, 2020 meeting minutes
- B. [Approval of Supplemental Appropriation#52 to receive a \\$25 donation to the Sheriff's Department.](#) Budget adjustments

Public Comment

Special Appearances Reports

- A. Constitutional Officers
- B. Board & Committees
- C. Departments
- D. County Administrator

Old Business

- 2. Report: Courthouse/War Memorial Building Security System Upgrade (Berry & Livingston)
- 3. Consideration: Emergency Meeting Ordinance (Gregg) *revised edition*
- 4. Consideration: Random Drug Testing Policy (Hobbs)
- 5. Consideration: FY21 Budget Resolution (Costello) *revised school budget, appropriation, post-COVID revisions*

5a. Consideration of Updated Floor Plans for the Madison County Administration Center renovation project (Hobbs)

New Business

- 6. Discussion: Preparation for May 26 Workession on Capital Project Financing (Hobbs)
- 7. Consideration: Appointments to Social Services Board (Frye)

Information/Correspondence (*Recognize written monthly reports on memory sticks*)

Public Comment

- 8. Public Hearing: Proposed Secondary Six-Year Plan for Fiscal Years 2020/21 through 2025/26 in Madison County and on the Secondary System Construction Budget for Fiscal Year 2020/21
- 9. Review of Current Road Issues (Carrie Shepheard, VDOT Resident Engineer)

Closed Session

Adjourn to May 26 at 5 PM for the Davenport presentation on project financing

Public Comment

Closed Session

Adjourn

AMENDMENT(S) DENOTED IN ROYAL BLUE